

REMARKS

This Response is submitted in reply to the Final Office Action mailed September 22, 2004, and in accordance with the telephone interview conducted November 30, 2004. Claims 1 to 35 and 44 to 48 are currently pending in this application. Claims 1, 3, 4, 6, 7, 9, 10, 14, 15, 16, 18, 21, 22, 23, 25, 28, 31, 34, 35, 44, 45, 47, and 48 are amended in this response. A Request for Continued Examination ("RCE") is submitted herewith. A check in the amount of \$790.00 is enclosed to cover the cost of the RCE. Please charge Deposit Account No. 02-1818 for any insufficiency of payment or to credit any overpayment.

The Office Action objected to claim 3 due to an informality (i.e., the extra word "which"). This informality has been corrected in this response.

The Office Action rejected Claims 1, 2, 4 to 35 and 44 to 48 under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent No. 6,241,607 to Payne et al. ("*Payne*") and U.S. Patent Application No. 2001/0041610 to Luciano et al. ("*Luciano*"). The Office Action rejected Claim 3 under 35 U.S.C. §103(a) as being obvious in view of *Payne* and *Luciano* in further view of U.S. Patent No. 5,342,047 to Heidel et al. ("*Heidel*"). Applicant disagrees with these rejections. Additionally, Applicant has amended the claims to more clearly specify the function of the processor in dividing the wager made by the player.

As an initial matter, the Applicant would like to thank the Examiner for the interview conducted on November 30, 2004. During that interview, the teachings of Luciano (U.S. Patent Application Publication 2001/0041610 A1) and Payne (U.S. Patent 6,241,607 B1) were discussed. Specifically, Applicant asserted that neither of these references teaches a processor that determines a fractional credit to be wagered as claimed. For example, the processor may divide a wager by the number of activated paylines. Instead, Luciano teaches enabling the player to place wagers that include fractional credits on the different paylines, and Payne teaches the option of playing all the paylines.

Independent claims 1, 15, 21, 28, 31, 34, 35, 44, and 48 as presently presented overcome *Payne* and *Luciano*. Specifically, each of these claims recites a processor or


means that determines a first fraction of a value wagered and a second *different* fraction of the value wagered. For example, a player may wager \$2 on three paylines. In such an instance, the processor may determine the three wagers to be 66¢, 67¢ and 67¢ (i.e., two *different* wagers). Support for this type of “uneven division” by the processor can be found in the specification on page 18, lines 5 – 11 where this same example is used. Additional support can be found in the specification on page 16, lines 4 – 15 where a similar example (33¢, 34¢ and 33¢) is used.

Neither *Payne* nor *Luciano* teach such a system. *Payne* does not disclose the use of fractional wager amounts. *Luciano* teaches “[t]he game player could choose for example, to wager or play 0.4 or 4/10 of a credit.” (¶ 0082) However, *Luciano* does not teach that a processor or other means may determine a first fraction of a value wagered and a second *different* fraction of the value wagered. As a result, the combination of *Payne* and *Luciano* (assuming for the sake of discussion that such a combination would be proper at all) would at best teach a machine that would allow a fractional wager (entered by the player) to be placed on multiple paylines (e.g., 33¢, 33¢ and 33¢). Neither reference teaches the “uneven division” determined by the processor (or the means) now present in all pending claims (e.g., 33¢, 34¢ and 33¢). Because *Payne* and *Luciano*, alone and in combination, do not teach or suggest each feature of the claims of the present invention, Applicant submits that all pending claims are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 
Adam H. Masia (35,602)
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4284.

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